

JAN 28 '05 11:30AM CORNELL RSCH FOUNDAT

P.6

Attorney Docket No. 1153.037051

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: MULTIPLE MECHANICAL RESONATOR PARAMETRIC DEVICE.

The specification of which was filed on December 28, 2001 as application serial no. 10/034,594 and was amended on February 6, 2002.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(c).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number
60/258,667

Filing Date
December 28, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

JAN 28 '05 11:30AM CORNELL RSCH FOUNDAT

P.7

Attorney Docket No. 1151.0371.81
Serial No. 10034590
Filing Date 12 October 2004

Page 2 of 4

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented, unless/until I instruct Schwegman, Lundberg, Woessner & Kloth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kloth, P.A. at the address indicated below:
P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Anatoli Olkhovets
Citizenship: Ukraine
Post Office Address: 32 Southgate Road, Apt. 1A
Murray Hill, NJ 07974

Residence: Murray Hill, NJSignature: Anatoli Olkhovets

Anatoli Olkhovets

Date: 9/27/2004

Full Name of joint inventor number 2: Dustin W. Carr
Citizenship: United States of America
Post Office Address: 9108 Rose Quartz Avenue
Albuquerque, NM 87114

Residence: Albuquerque, NMSignature: Dustin W. Carr

Dustin W. Carr

Date: _____

Full Name of joint inventor number 3: Harold G. Craighead
Citizenship: United States of America
Post Office Address: 21 Fairway Drive
Ithaca, NY 14850

Residence: Ithaca, NYSignature: Harold G. Craighead

Harold G. Craighead

Date: _____

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

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SCHWEGMAN, LUNDBERG, WOES

004/013

JAN 28 '05 11:30AM CORNELL RSCH FOUNDAT

P.8

Attorney Docket No. 1153 037105
Serial No. 100000000
Filing Date December 28, 2001

Page 1 of 4

Full Name of Joint inventor number 4: Jeeak M. Parpia

Citizenship: United States of America

Residence: Ithaca, NY

Post Office Address: 380 Turkey Hill Road
Ithaca, NY 14850

Signature: _____

Jeeak M. Parpia

Date: _____

JAN 28 '05 11:31AM CORNELL RSCH FOUNDAT

P.9

Attorney Number No. 11531371 S1
 Serial No. 116044,304
 Filing Date December 28, 2001

Page 4 of 4

§ 1.96 Duty to disclose information material to patentability.

(A) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 3.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or alleged or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(B) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refines, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification; and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(C) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(D) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Feb-21 FEB 22 '05 11:16AM CORNELL RSCH FOUNDAT

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T-138 P.002/OP.2 F-288

Attorney Docket No.1153.037US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MULTIPLE MECHANICAL RESONATOR PARAMETRIC DEVICE**.

The specification of which was filed on December 28, 2001 as application serial no. 10/034594.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number
60/258667

Filing Date
December 28, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

Feb-21 FEB 22 '05 11:17AM CORNELL RSCH FOUNDAT

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T-198 P.002/OP.3 P-298

Page 2 of 4

Attorney Docket No.: 1153.037191
 Serial No. 10/034694
 Filing Date: December 28, 2001

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Garrle, Gregory J.	Reg. No. 36,830	Newton, Ruth H.	Reg. No. 26,657
Aron, Samuel	Reg. No. 42,267	Graves, John N.	Reg. No. 40,363	Nickson, Walter W.	Reg. No. 25,539
Barkman, Marvin L.	Reg. No. 39,377	Harris, Robert J.	Reg. No. 37,346	Obermark, Thomas C.	Reg. No. 55,506
Bianchi, Timothy E.	Reg. No. 39,610	Jackson, Nicholas, Katherine A.	Reg. No. 47,670	Padya, Danny J.	Reg. No. 35,635
Bilfort, Richard E.	Reg. No. 32,836	Jurkovich, Paul J.	Reg. No. 44,819	Parker, J. K.	Reg. No. 33,034
Blask, David W.	Reg. No. 42,331	Kalla, Israel M.	Reg. No. 37,650	Pezosok, Gregg A.	Reg. No. 45,001
Boback, Robert	Reg. No. 52,627	Kilima-Silberg, Catherine I.	Reg. No. 40,052	Perdek Shonka, Monique M.	Reg. No. 42,989
Brown, Thomas P.	Reg. No. 35,075	Kluth, Daniel J.	Reg. No. 32,146	Perel, Andrew B.	Reg. No. 41,246
Chodwick, Robin A.	Reg. No. 36,477	Lacy, Rodney L.	Reg. No. 41,156	Peterson, David C.	Reg. No. 47,857
Chok, Barbara I.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 39,869	Price, Lucinda C.	Reg. No. 42,270
Chen, Timothy B.	Reg. No. 40,957	Maki, Peter C.	Reg. No. 42,832	Prout, William F.	Reg. No. 35,995
Cochran, David R.	Reg. No. 46,683	Malen, Peter L.	Reg. No. 44,894	Schlaun, Sherry W.	Reg. No. 39,423
Dahl, John M.	Reg. No. 44,639	Mama, Robert E.	Reg. No. 35,271	Schwegman, Michael L.	Reg. No. 25,816
DeLissa, Andrew	Reg. No. 52,806	McCrackin, Ann M.	Reg. No. 42,858	Spier, Gary L.	Reg. No. 45,458
Droke, Eduardo E.	Reg. No. 40,594	Mohrin, Joseph P.	Reg. No. 45,333	Steffy, Charles E.	Reg. No. 25,179
Eskerton, Janet E.	Reg. No. 59,663	Morris, Nicole N.	Reg. No. 53,467	Tang, Zhongqiao	Reg. No. 55,666
Forsyth, Bradley A.	Reg. No. 30,837	Muller, Mark V.	Reg. No. 37,509	Tong, Vic V.	Reg. No. 43,416
Gunn, John B.	Reg. No. 27,858	Nelson, A. James	Reg. No. 28,630	Woesner, Wherry D.	Reg. No. 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:
 P.O. Box 2938, Minneapolis, MN 55402
 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Anastoli Olkhovets
 Citizenship: Ukraine
 Post Office Address: 32 Southgate Road, Apt. 1A
Murray Hills, NJ 07974

Residence: Murray Hills, NJ

Signature: Anastoli Olkhovets

Date: _____

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

FEB 22 '05 11:17AM CORNELL RSCH FOUNDAT

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T-158 P.004/0P.4 F-288

Page 3 of 4

Agency Division No.: 1153.037US1

Serial No. 10/034594

Filing Date: December 28, 2001

Full Name of joint inventor number 2: Dustin W. CarrCitizenship: United States of AmericaResidence: Albuquerque, NMPost Office Address: 5108 Rose Quartz Avenue
Albuquerque, NM 87114Signature: 

Dustin W. Carr

Date: 2-21-2005Full Name of joint inventor number 3: Harold G. CraigheadCitizenship: United States of AmericaResidence: Ithaca, NYPost Office Address: 21 Fairway Drive
Ithaca, NY 14850Signature: 

Harold G. Craighead

Date: _____

Full Name of joint inventor number 4: Jeevak M. ParpiaCitizenship: United States of AmericaResidence: Ithaca, NYPost Office Address: 380 Turkey Hill Road
Ithaca, NY 14850Signature: 

Jeevak M. Parpia

Date: _____

Feb-22 '05 11:17AM CORNELL RSCH FOUNDAT

+5058442881

T-138 P.005/005 F-288

Page 4 of 4

Attorney Docket No.: 1153.037U81
Serial No. 10034354
Filing Date: December 28, 2001

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

JAN 28 '05 11:28AM CORNELL RSCH FOUNDAT

P.2

Attorney Docket No. 1153.037US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **MULTIPLE MECHANICAL RESONATOR PARAMETRIC DEVICE**.

The specification of which was filed on December 28, 2001 as application serial no. 10/034,594 and was amended on February 6, 2002.

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No such claim for priority is being made at this time.

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Application Number
60/258,667

Filing Date
December 28, 2000

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

JAN 28 '05 11:29AM CORNELL RSCH FOUNDAT

P.3

Attorney Docket No.: 1153.037US1
Serial No. 10/034.554
Filing Date: December 28, 2001

Page 2 of 4

I hereby appoint the attorneys associated with the customer number listed below to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Customer Number: 21186

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:
P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

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Full Name of joint inventor number 1: Anatoli Oikhovets
Citizenship: Ukraine
Post Office Address: 32 Southgate Road, Apt. 1A
Murray Hill, NJ 07974

Residence: Murray Hill, NJ

Signature: _____
Anatoli Oikhovets

Date: _____

Full Name of joint inventor number 2: Dustin W. Carr
Citizenship: United States of America
Post Office Address: 5108 Rose Quartz Avenue
Albuquerque, NM 87114

Residence: Albuquerque, NM

Signature: _____
Dustin W. Carr

Date: _____

Full Name of joint inventor number 3: Harold G. Craighead
Citizenship: United States of America
Post Office Address: 21 Fairway Drive
Ithaca, NY 14850

Residence: Ithaca, NY

Signature: Harold G. Craighead
Harold G. Craighead

Date: 7/28/04

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

02/22/05 16:26 FAX 6123393061

SCHWEGMAN, LUNDBERG, WOES

012/013

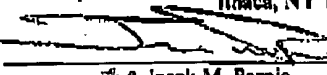
JAN 28 '05 11:29AM CORNELL RSCH FOUNDAT

P.4

Attorney Docket No.: 1153 037US1
Serial No. 10/034,594
Filing Date: December 28, 2001

Page 3 of 4

Full Name of joint inventor number 4: Jesak M. Parpia
Citizenship: United States of America Residence: Ithaca, NY
Post Office Address: 380 Turkey Hill Road
Ithaca, NY 14850

Signature: 
Jesak M. Parpia
JEEVAK

Date: 02/05/2004

JAN 28 '05 11:29AM CORNELL RSCH FOUNDAT

P.5

Attorney Docket No. 1153.037US1
Serial No. 10/034,594
Filing Date: December 28, 2001

Page 4 of 4

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.